

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

CAROLYNE ARANGO SANIN (DCBN 499564)  
Special Assistant United States Attorney  
150 South Almaden Boulevard, Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5596  
Facsimile: (408) 535-5066  
carolyne.sanin@usdoj.gov

Attorneys for the United States

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, ) No. 11-CR-741 LHK  
Plaintiff, ) STIPULATION AND [PROPOSED]  
v. ) ORDER CONTINUING HEARING TO  
SAUL FARIAS-HERNANDEZ, ) FEBRUARY 8, 2012  
Defendant. )

The Parties, acting through respective counsel, hereby stipulate, subject to the Court's approval, that the hearing currently set for December 21, 2011 at 10 am be vacated, and that the hearing be re-set for February 8, 2012 at 10 am. The parties are requesting the continuance of the hearing due to the need for additional time for effective preparation, the need to jointly negotiate a resolution in this matter, and for the continuity of counsel, given that government counsel will not be available on December 21, 2011.

The parties stipulate that the time between December 21, 2011 and February 6, 2012, is excluded under the Speedy Trial Act, 18 U.S.C. §3161, and agree that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Finally, the parties agree

1 that the ends of justice served by granting the requested continuance outweigh the best interest of  
2 the public, and the defendant in a speedy trial and in the prompt disposition of criminal cases. 18  
3 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

4  
5  
6  
7  
8 DATED: December 8, 2011

MELINDA HAAG  
United States Attorney

9  
10 \_\_\_\_\_/s/\_\_\_\_\_  
11 Carolyne A. Sanin  
12 Special Assistant United States Attorney

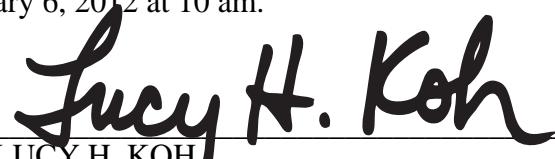
13 \_\_\_\_\_/s/\_\_\_\_\_  
14 Manuel Araujo  
15 Attorney for Defendant

16  
17 **[PROPOSED] ORDER**

18 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY  
19 ORDERS that the hearing in this matter previously set for December 21, 2011 at 10 am is  
20 vacated, and the matter is continued to February 6, 2012 at 10 am.

21 IT IS SO ORDERED.

22 DATED: 12/15/11

  
23 LUCY H. KOH  
24 UNITED STATES DISTRICT JUDGE